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WOMAN'S CLUBS ARE SYMPATHETIC

Engage in Movement to Amend the Treaty With Japan to Make Kidnaping an Extraditable Offense—The Ellis Case

A movement is being forwarded by the women's clubs of this country to petition congress to take measures to include kidnaping among the extradition offenses mentioned in the treaties between the United States and all foreign countries. The clubs will forward a resolution to its respective senators and representatives asking them to use every effort to facilitate early action.

The widespread interest of club women in this particular phase of legislation was aroused in the case of Olga Ellis, a little girl who was kidnapped from Revere, Mass., February 22, 1913, and found in Tokyo, Japan, the following September. In order to regain her child Mrs. Ellis has been forced to commence legal proceedings and her funds are nearly exhausted. Mrs. Franklin P. Jones, chairman of the legislative committee of the General Federation of Women's Clubs, has suggested that the club women of the United States finance the suit, the cost of which will be \$1000, and with this end in view asks that five dollars be the donation of the smaller clubs and ten dollars the larger donations, to be sent to the California club, San Francisco.

Mrs. Henry D. Ross, president of the Arizona Federation of Women's Clubs, has been in constant communication with the California club since the matter was first given consideration and submits the following resume of the case:

"The suit for the custody of Olga was made necessary by a series of persecutions culminating in the illegal commitment of Mrs. Ellis to an insane asylum by her husband.

"The details of her commitment, made public during the trial, were cruel and unnatural, and aroused the suspicion and sympathy of the two policemen who took her to the asylum; they allowed her to communicate with her brother, and later appeared as witnesses in her behalf. The doctors at the insane asylum subjected her to the most careful tests for seventeen days, and then released her. They also appeared as her witnesses and testified that she was not insane when she entered the asylum, nor during her entire stay there, and that there was no evidence that she ever had been insane. The doctors who committed Mrs. Ellis defended their action by saying that they believed her to be insane; that the history of a patient's case had much to do with the examining physician's decision; and if the history were falsified, it could not be expected that the doctors would do detective work.

"Mrs. Ellis won her suit for the custody of Olga in both the probate and superior courts. She is now bringing suit against Mr. Ellis' witnesses, including the two doctors who committed her, on a criminal conspiracy charge.

"Mrs. Ellis claims that their domestic life was very unhappy. She had previously applied for a divorce but withdrew her application because Mr. Ellis pleaded for one more chance. She thinks her husband placed her in an asylum for the purpose of obtaining the divorce himself. He was at the time of her commitment a Unitarian minister in Chicopee, Mass.

"When located in Japan, Mr. Ellis could not be arrested for kidnapping since that crime is not mentioned as an extraditable offense in the treaty between the United States and Japan.

"A perjury warrant, based on Mrs. Ellis' illegal commitment to the asylum, was therefore issued, and in October, 1913, Mr. Ellis was arrested at the instance of our government by the Japanese authorities, and held pending the arrival of the United States officers sent to bring him and Olga home.

"On the arrival of the officers, but without giving them a hearing or consulting our ambassador, so the officers claim, the Japanese government refused to extradite Mr. Ellis on

the ground that the perjury charge did not constitute perjury under Japanese law.

"Mr. Ellis has applied for Japanese citizenship. This has not yet been granted. Should citizenship be granted him, Mrs. Ellis will, perforce, become a Japanese citizen also, both by the law of the United States and of Japan. She will then lose the benefit of those sections of the Japanese civil code which now permit her to bring suit in the Japanese courts.

"While in jail Mr. Ellis began legal proceedings to have a Japanese guardian appointed for Olga for the purpose of leaving her in Japan should he be brought back to this country. We do not know the outcome of these proceedings, but after the departure of the officers the child was returned to her father.

"Mr. N. W. McIvor, a well known

lawyer practicing for many years in Japan, became interested in the legal status of the case and gave his opinion that Mrs. Ellis had a very good chance of winning in the Japanese courts, but, he said, to get the benefit of a foreign judgment diplomatic action on the part of our government would still be necessary.

"At last, January, 1915, rendered desperate by delay, Mrs. Ellis went to Japan herself. Her funds were very limited, but sufficient if all went well to meet her expenses.

"On reaching Japan Mrs. Ellis consulted a Japanese lawyer who assured her that she had a right to take her child, and that with the child once in her possession, Mr. Ellis would have to resort to the courts to support his claims, thus throwing the financial burden to a large extent upon him. There was also every probability that, realizing

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his weakness in a fair fight, he would not push the matter.

"There was some delay in locating him, as he had recently moved and Olga had been absent from school on account of illness. Mrs. Ellis found it necessary to employ detectives and interpreters, which added to the list of unforeseen expenses. In a little over two weeks Olga was located. Mrs. Ellis went in the daytime and took the child, intending to reach the nearest telephone station and call for her lawyer's assistance. Before she could carry out her intention, she was seized by the servants and carried back to the house by main force.

"Bear in mind that before this step was undertaken by an unusually clever, though troubled, mother, she was within her legal rights as recognized by this country.

"She was now forced to commence legal proceedings herself, and already her funds are nearly exhausted by unforeseen expenses.

"The child is a little girl sadly needing her mother's care.

"Mrs. Ellis says that it seems difficult for the Japanese mind to conceive of a mother being given custody of a child while the father is still living, and her Japanese lawyers do not understand why, if such

is the custom of our country, her government does not support her."

Then comes the statement of the club women:

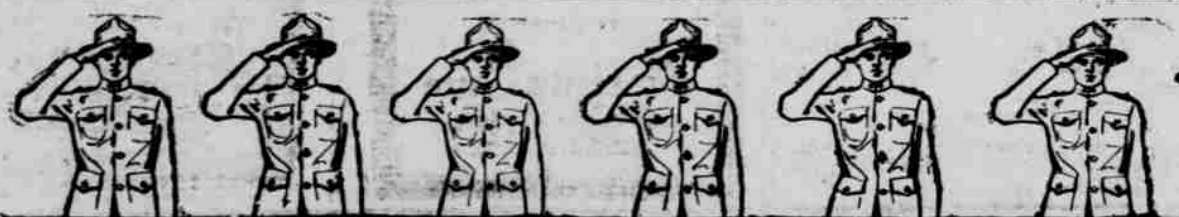
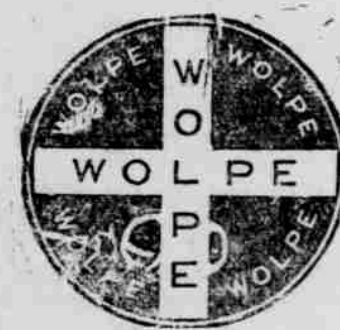
"We believe that our government will support her when the case is placed before them once more. We are keenly interested in the attitude of our national government toward the rights of her citizens, and especially women, who became involved, through no fault of their own, in international complications. We are not only interested, but as enfranchised citizens we feel responsible to the full extent of that power with which the state of California has endowed us.

"We feel not only that this case is a very important one, but that it involves a great principle which touches vitally not only those who suffer, but those who are responsible for the efficient working of our governmental machinery, and we earnestly petition you to bring this matter before our secretary of state urging, first, that a cable be sent to Mr. Gutarie requesting him to safeguard Mrs. Ellis' interests and person, and, second, to take such action as may be necessary—and is consid-

tent with peace and good will—to have the child returned to her mother and to this country."

CHANGE EXPENSIVE IN EUROPE

The net results of a year's strife are: Men killed, 3 million; property destroyed, 10 billion dollars; changes effected, the "C" changed to "S" in "Serbia" and "Petrograd" substituted for "St. Petersburg."—From the Louisville Courier-Journal.



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